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LETTER DATED 4 JULY 1991 FROM THE SECRETARY-GENERAL
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit to you herewith the report of the high-level mission, composed of Mr. Hans Blix, Director-General of the International Atomic Energy Agency, Mr. Rolf Ekéus, Executive Chairman of the Special Commission established under Security Council resolution 687 (1991), and Mr. Yasushi Akashi, Under-Secretary-General for Disarmament Affairs, which I sent to Iraq at the request of the members of the Security Council, as noted in the statement by the President of the Council of 28 June 1991 (S/22746).

(Signed) Javier PEREZ DE CUELLAR

Annex

[Original: English]

Report of the high-level mission to Iraq

A. Introduction

1. The report of the high-level mission is submitted to the Security Council, through the Secretary-General, within the context and the framework of the statement by the President of the Council of 28 June 1991 (S/22746), pursuant to which the mission was constituted. Furthermore, the mission has understood that it was to proceed against the background of the three incidents of 23, 25 and 28 June 1991 covered in the President's statement. The report, therefore, does not deal with the experience of three other teams dispatched to Iraq under the provisions of section C of Security Council resolution 687 (1991). The cooperation extended by the Iraqi authorities to these inspection and disposal teams was found to be satisfactory and gave rise to no complaints in respect of the granting of immediate and unimpeded access or of other rights of the Special Commission established under Security Council resolution 687 (1991) and the International Atomic Energy Agency (IAEA) under the resolution.

B. Composition of the high-level mission

2. The high-level mission was composed of Mr. Hans Blix, Director-General of IAEA, Mr. Rolf Ekéus, Executive Chairman of the Special Commission and Mr. Yasushi Akashi, United Nations Under-Secretary-General for Disarmament Affairs. The Secretary-General requested Mr. Ekéus to lead the mission.

3. The mission was assisted by a team of experts: Mr. M. El Baradei (IAEA); and Mr. Johan Molander and Mr. John Scott (Office of the Special Commission).

C. Itinerary of the high-level mission

4. The mission assembled in Bahrain on 29 June 1991. On 30 June, the mission proceeded to Baghdad, where it remained until 3 July. On 3 July, the mission travelled to Geneva, reported orally to the Secretary-General on 4 July on the outcome of its work and adopted its report.

D. Meetings in Baghdad with high-level members of the Iraqi Government

1. Schedule of meetings

5. During its stay in Baghdad, the mission held six meetings with the following members of the Iraqi Government:

30 June 1991	
8 p.m. - 9.45 p.m.	Mr. Ahmed Hussein, Minister for Foreign Affairs
1 July 1991	
11.15 a.m. - 1.30 p.m.	Mr. Tariq Aziz, Deputy Prime Minister
	The Minister for Foreign Affairs
8.30 p.m. - 9.15 p.m.	The Minister for Foreign Affairs
2 July 1991	
10.30 a.m. - 1.30 p.m.	The Deputy Prime Minister
	The Minister for Foreign Affairs
	General Hussein Kamel Hassan, Minister of Defence
	Dr. Homan Abdul Khaliq, Chairman of the Atomic Energy Commission of Iraq
7.35 p.m. - 8.30 p.m.	Mr. Saadoun Hammadi, Prime Minister
10.35 p.m. - 11.30 p.m.	The Minister for Foreign Affairs

6. At the final meeting with the Foreign Minister, the mission presented in broad outline the findings it intended to present to the Secretary-General and to the Security Council. On the request of the Foreign Minister for another meeting the following day, the mission stated that at that point no new developments of significance to its tasks could be expected. The mission recalled that it had already extended its visit by one day and that the Security Council had requested the mission to report to it at the earliest opportunity. If, however, further developments from the Iraqi side were to be forthcoming, they could be communicated to and presented in New York or Vienna.

2. Presentation of the demands of the Security Council

7. During its meetings, the mission emphasized that it had been sent to Iraq in order to convey the urgent demand of the Security Council for unequivocal assurances that the Government of Iraq would take all the necessary measures to ensure that no hindrances were placed in the way of the discharge by the Special Commission of its mandate under Security Council resolution 687 (1991) and would accord, in compliance with Iraq's obligations and commitments vis-à-vis the United Nations and IAEA, full cooperation, including immediate and unimpeded access to sites declared or designated under paragraphs 9 and 13 of Security Council resolution 687 (1991), to the inspection teams sent to Iraq by the Special Commission and IAEA. The mission further emphasized that it was under instructions from the Council to obtain unconditional guarantees for the safety and security of all personnel engaged in the performance of functions in connection with Security Council resolution 687 (1991). It was also under instructions to seek detailed information on undertakings and measures by the Government to ensure compliance at all levels, including local military and civilian authorities, with Iraq's obligations under Security Council resolution 687 (1991).

8. In transmitting the Security Council's demands, the mission stressed the Council's grave concern over the incident of 28 June, in particular the use of firearms by Iraqi personnel, and drew attention to the fact that the members of the Council had strongly deplored the incidents of 23, 25 and 28 June 1991 and had condemned the conduct of the Iraqi authorities in this connection. It also underlined that the President's statement recorded the unanimous view of the members of the Council.

9. The mission drew attention to the fact that the Security Council remained seized of the matter. The mission underlined the importance of full compliance by Iraq so as to enable the United Nations to continue to carry out resolution 687 (1991) and that any non-compliance by Iraq would have serious consequences. The mission reiterated the view of the Security Council on the threat that weapons of mass destruction pose to peace and security in the Middle East and on the need to work towards the establishment in the Middle East of a zone free of such weapons.

3. Assurances given by the Government of Iraq

10. The mission received from the Ministers with whom it met the various assurances indicated below:

(a) A decision by the President of Iraq, which had been conveyed to the Security Council in New York by the Permanent Representative of Iraq to the United Nations (S/22749), to the effect that the President had ordered all the Iraqi authorities concerned to extend full cooperation to the United Nations representatives and to facilitate their tasks in line with the obligations undertaken by Iraq. The President had also instructed that all bureaucratic problems arising in the cooperation process should be overcome and had

authorized the Minister for Foreign Affairs to issue immediate instructions to all authorities and departments which the United Nations representatives desired to visit and inspect to give access without hesitation;

(b) A further statement by the President of Iraq which, inter alia, contained the assurance that Iraq had abandoned all activities that might be in contravention of Security Council resolution 687 (1991);

(c) An assurance that Iraq would take all necessary measures to ensure that no hindrances were placed in the way of the inspection activities of the Special Commission and IAEA and that it would accord full cooperation to the inspection teams, including immediate and unimpeded access, and the right to stop and inspect vehicles in movement;

(d) The information that, in order to implement the assurances of cooperation at all levels, orders had been issued to all Iraqi military and civilian personnel to that effect "and so as to ensure the safety and security of all personnel engaged in the performance of functions in connection with Security Council resolution 687 (1991);"

(e) The information that full authority had been given to the Minister for Foreign Affairs to issue directives relating to compliance with Special Commission and IAEA requests under resolution 687 (1991), and that a high-level military liaison officer was, as of that point, placed in the Ministry of Foreign Affairs with authority to grant immediate access to any military site or installation.

4. Access to the objects observed by the nuclear inspection team

11. The mission insisted throughout on the call by the members of the Security Council that Iraq grant the nuclear inspection team, present in Iraq, immediate and unimpeded access to the objects which the team had endeavoured to inspect on 23, 25 and 28 June 1991. The mission reiterated this call when it was reported to it that materials which the team was invited to inspect at Fallujah on 1 July and on 2 July 1991 did not comprise objects which the team had observed on 28 June.

12. The Iraqi side explained that some equipment and material belonging to the Atomic Energy Commission of Iraq had been transferred to the Ministry of Defence for purposes of destruction of items that might be in contravention of Security Council resolution 687 (1991) and of redistribution of other items which could be used for the civilian reconstruction programme in Iraq. It was further stated that some of this equipment and material had been present at the Fallujah site. No specification of these items was given, but the Chairman of the Atomic Energy Commission of Iraq promised to provide, in the near future, a list of all items that had been destroyed. Following these explanations, in the afternoon of 2 July the inspection team, accompanied by the Director-General of IAEA, was taken to a destruction site and was shown

certain destroyed equipment. The large pieces of equipment which were thus inspected were related to nuclear research and could not have had relevance for the production of weapons-usable material. No meaningful explanation was given why they had been destroyed.

13. The mission stated that if Iraq had interpreted Security Council resolution 687 (1991) in such a way as not to cover research or other facilities, or equipment for the enrichment of uranium or the separation of plutonium, an additional declaration would be needed to include such items as centrifuges, calutrons, facilities for production of uranium tetrachloride or uranium hexafluoride. The Chairman of the Atomic Energy Commission of Iraq stated categorically that there had not been and there was currently no programme under the Commission for the enrichment of uranium in Iraq. The Deputy Prime Mnister added that there was only one nuclear programme in Iraq.

5. Observations by the Government of Iraq

14. The Iraqi side, while reiterating the Government's acceptance of the Security Council's resolutions, none the less considered the resolutions to be harsh and unjust. In this connection, reference was made in particular to Security Council resolution 699 (1991), regarding the liability of Iraq for the costs incurred under section C of Security Council resolution 687 (1991) and their offer to undertake the destruction of chemical weapons. The mission stated that this offer was under serious consideration in the Special Commission.

15. The Iraqi side, when referring to the incidents of 23, 25 and 28 June 1991, complained that insufficient notice of inspection had been given. Furthermore, insistence on undertaking the inspections during the Muslim religious holiday of Eid, when the civilian or military officers concerned could not be easily contacted, was inappropriate. Iraq's industrial base had been badly damaged during the conflict and serious communications and logistical problems existed. All these factors had contributed to the incidents. The mission stated that appropriate notice would always be given, but that the Special Commission and IAEA had the right to inspect mobile objects with short or no notice. The inspection teams had no intention to disregard the religious feelings of the people of Iraq. However, it was now a common feature of verification under modern arms control agreements that inspections might take place at any time when there were reasons for believing that otherwise the purposes of the inspection might be frustrated. Furthermore, on 23 June, it was noticed that considerable Iraqi activity was under way at the inspection site, despite the religious holiday.

16. The Iraqi side referred to its reservations concerning the composition of certain inspection teams and expressed the hope that in the future they would be more widely drawn. The mission stated that, in composing the teams, primary emphasis had to be put on technical competence. Most teams were composed of personnel of many nationalities. A restricting factor existed in the nuclear weapons and related fields, where the available expertise was

largely limited to the five nuclear-weapons States. It was agreed that the selection of the members of the inspection teams was the sole prerogative of the Special Commission and of IAEA.

E. Findings of the high-level mission

17. In spite of their unambiguous character, the general assurances given and the specific measures promised can only be evaluated in the light of present and future implementation by the Iraqi authorities. As described in the present report, the Iraqi response to the request for access to the objects which the inspection team had endeavoured to inspect on 28 June falls short of what has been called for by the Security Council.

Geneva, 4 July 1991

(Signed) Rolf EKEUS (Signed) Hans BLIX (Signed) Yasushi AKASHI